

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:07-CV-168-DCK**

BELK, INC., and BELK)	
INTERNATIONAL, INC.,)	
)	
Plaintiffs,)	ORDER
v.)	
)	
MEYER CORPORATION, U.S., and)	
MEYER INTELLECTUAL)	
PROPERTY LIMITED,)	
)	
Defendants.)	

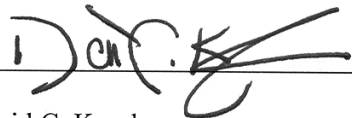
THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the recusal of the undersigned and the re-assignment of the case. Canon 2 of the Code of Conduct for United States Judges cautions that judges should avoid even the appearance of impropriety. The undersigned certainly has no personal bias or prejudice concerning any party. However, after careful consideration, the undersigned has concluded that recent civic and community interaction with persons associated with the Plaintiff might create a prohibited appearance. Put simply, to ensure that all parties have no doubt they are receiving a fair and impartial determination of their matter, this Court out of an abundance of caution will recuse and direct that the case be re-assigned.

IT IS THEREFORE ORDERED that the undersigned shall be deemed recused from further consideration of this matter.

IT IS FURTHER ORDERED that the Clerk will re-assign this case, consistent with its usual procedures.

SO ORDERED.

Signed: November 3, 2009

A handwritten signature in black ink, appearing to read "D.C. Keesler", written over a horizontal line.

David C. Keesler
United States Magistrate Judge

